

**A SUBSTITUTE ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

07-O-0590

A SUBSTITUTE ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 2 WITH ATC ASSOCIATES, INC./CORPORATE ENVIRONMENTAL RISK MANAGEMENT, JV FOR FC-7449-02A, CITYWIDE ANNUAL CONTRACT FOR GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING, TESTING AND INVESTIGATION SERVICES FOR SANITARY SEWER REHABILITATION PROGRAM, ON BEHALF OF THE DEPARTMENTS OF AVIATION, PUBLIC WORKS, WATERSHED MANAGEMENT, PARKS, RECREATION AND CULTURAL AFFAIRS AND GENERAL SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement with ATC Associates, Inc./Corporate Environmental Risk Management, JV, ("ATC/C.E.R.M.") FC-7449-02A, Annual Contract for Geotechnical and Environmental Engineering, Testing and Investigation Services, pursuant to Resolution 03-R-1503; and

WHEREAS, the base term of the contract was for two (2) years with three (3) one (1) year renewal options at the City's sole discretion, effective January 7, 2004 through January 6, 2006; and

WHEREAS, the Chief Procurement Officer issued a 90-day extension effective January 7, 2006 through March 6, 2006; and

WHEREAS, Renewal No. 2 was executed pursuant to Resolution 06-R-0059 which expires on March 6, 2007; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer for the Department of Procurement have recommended the execution of Renewal Agreement No. 2 with ATC/C.E.R.M. for the Sanitary Sewer Rehabilitation Program.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That the Mayor is authorized to execute Renewal Agreement No. 2 ("Agreement") with ATC Associates, Inc./Corporate Environmental Risk Management, JV, ("ATC/C.E.R.M.") for FC-7449-02A, Annual Contract for Geotechnical and Environmental Engineering, Testing and Investigation Services.

SECTION 2: That the term of the Agreement is for one (1) year, effective March 7, 2007.

SECTION 3: That the Chief Procurement Officer is directed to prepare an appropriate agreement for execution by the Mayor.

SECTION 4: That this Agreement will not become binding on the City, and the City shall incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to ATC/C.E.R.M.

SECTION 5: That Article X of the City of Atlanta's Procurement and Real Estate Code is hereby waived to the extent that such applies to the authorization of Renewal Agreement No. 3.

SECTION 6: That all ordinances and parts of ordinances in conflict with this ordinance are waived for this instance only.

**AN ORDINANCE
BY FINANCE/EXECUTIVE COMMITTEE**

07-0-0590

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 2 WITH ATC ASSOCIATES, INC./CORPORATE ENVIRONMENTAL RISK MANAGEMENT, JV FOR FC-7449-02A, CITYWIDE ANNUAL CONTRACT FOR GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING, TESTING AND INVESTIGATION SERVICES FOR SANITARY SEWER REHABILITATION PROGRAM, ON BEHALF OF THE DEPARTMENTS OF AVIATION, PUBLIC WORKS, WATERSHED MANAGEMENT, PARKS, RECREATION AND CULTURAL AFFAIRS AND GENERAL SERVICES; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement with ATC Associates, Inc./Corporate Environmental Risk Management, JV, ("ATC/C.E.R.M.") FC-7449-02A, Annual Contract for Geotechnical and Environmental Engineering, Testing and Investigation Services, pursuant to Resolution 03-R-1503; and

WHEREAS, the base term of the contract was for two (2) years with three (3) one (1) year renewal options at the City's sole discretion, effective January 7, 2004 through January 6, 2006; and

WHEREAS, the Chief Procurement Officer issued a 90-day extension effective January 7, 2006 through March 6, 2006; and

WHEREAS, Renewal No. 1 was executed pursuant to Resolution 06-R-0059 which expires on March 6, 2007; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer for the Department of Procurement have recommended the execution of Renewal Agreement No. 2 with ATC/C.E.R.M. for the Sanitary Sewer Rehabilitation Program.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That the Mayor is authorized to execute Renewal Agreement No. 2 ("Agreement") with ATC Associates, Inc./Corporate Environmental Risk Management, JV, ("ATC/C.E.R.M.") for FC-7449-02A, Annual Contract for Geotechnical and Environmental Engineering, Testing and Investigation Services.

SECTION 2: That the term of the Agreement is for one (1) year, effective March 7, 2007.

SECTION 3: That the Chief Procurement Officer is directed to prepare an appropriate agreement for execution by the Mayor.

SECTION 4: That this Agreement will not become binding on the City, and the City shall incur no obligation or liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to ATC/C.E.R.M.

SECTION 5: That Article X of the City of Atlanta's Procurement and Real Estate Code is hereby waived to the extent that such applies to the authorization of Renewal Agreement No. 3.

SECTION 6: That all ordinances and parts of ordinances in conflict with this ordinance are waived for this instance only.

Part II: Legislative White Paper:

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive

Caption: AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 2 WITH ATC ASSOCIATES, INC./CORPORATE ENVIRONMENTAL RISK MANAGEMENT, JV FOR FC-7449-02A, CITYWIDE ANNUAL CONTRACT FOR GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING, TESTING AND INVESTIGATION SERVICES FOR SANITARY SEWER REHABILITATION PROGRAM, ON BEHALF OF THE DEPARTMENTS OF AVIATION, PUBLIC WORKS, WATERSHED MANAGEMENT, PARKS, RECREATION AND CULTURAL AFFAIRS AND GENERAL SERVICES; AND FOR OTHER PURPOSES.

Council Meeting Date: March 5, 2007

Requesting Dept.: Watershed Management

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

is needed to sustain work under FC-7449-02A, Annual Contract for Geotechnical and Environmental Engineering, Testing and Investigation Services, with ATC Associates, CERM, JV is subject to expire on April 6, 2007.

2. Please provide background information regarding this legislation.

is needed to sustain work under FC-7449-02A, Annual Contract for Geotechnical and Environmental Engineering, Testing and Investigation Services, with ATC Associates, CERM, JV is subject to expire on April 6, 2007.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** RFP

(b) **Source Selection:**

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract: 2 yrs w/3 One (1) yr renewals

4. Fund Account Center: Projects approved on as as needed basis.

5. Source of Funds:

6. Fiscal Impact: n/a

7. Method of Cost Recovery: Water Revenue

This Legislative Request Form Was Prepared By: wcanidate/ extension 6335

LEGISLATIVE SUMMARY

TO: Finance/Executive Committee

CAPTION

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 2 WITH ATC ASSOCIATES, INC./CORPORATE ENVIRONMENTAL RISK MANAGEMENT, JV FOR FC-7449-02A, CITYWIDE ANNUAL CONTRACT FOR GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING, TESTING AND INVESTIGATION SERVICES FOR SANITARY SEWER REHABILITATION PROGRAM, ON BEHALF OF THE DEPARTMENTS OF AVIATION, PUBLIC WORKS, WATERSHED MANAGEMENT, PARKS, RECREATION AND CULTURAL AFFAIRS AND GENERAL SERVICES; AND FOR OTHER PURPOSES.

Committee Meeting Date:	March 28, 2007
Council Meeting Date:	April 16, 2007
Legislation Title:	Renewal No. 2 with ATC Associates, Inc.
Requesting Dept.:	Watershed Management
Contract Type:	(Professional Services RFP)
Advertisement:	April 29, 2002
Bids/Proposals Due:	July 3, 2002
Invitations Mailed:	117
Bids/Proposals Received:	11
Bidders/Proponents:	(1) United Consulting (2) ATC/C.E.R.M., Inc. – JV (3) Atlanta Citywide Engineering Group (ACEG) (4) Golder Associates, Inc. (5) Atlanta Professional Engineering Group (APEG) (6) Engineering Consultant Services (7) Kemron Environmental Services, Inc. (8) QORE Property (9) S&ME, Inc. (10) Tetra Tech (11) HGOA Team
Contractor:	ATC/C.E.R.M., Inc. – JV
Estimated Value:	(\$ 0.00)

Scope Summary:

THIS IS THE RENEWAL OF AN ANNUAL CONTRACT IN WHICH THE CONSULTANT PROVIDES GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING, TESTING AND INVESTIGATION SERVICES ON AN AS NEEDED BASIS TO CARRY OUT NEEDS OF VARIOUS DEPARTMENTS WITHIN THE CITY.

Background:

Original executed on January 7, 2004, expired on January 6, 2006.

A Ninety Day extension effective term began on January 7, 2006 to March 6, 2006

Renewal Agreement No. 1 effective term began on March 7, 2006 to March 6, 2007

Evaluation Team:

DWM, DPW, DPRCA, DOA, OGS, OCC and RISK MANAGEMENT

Term of Contract:

Two (2) Years with three (3) one (1) year renewal options

Fund Account Centers:

N/A

Prepared By:

Anthony Stanley

Contact Number:

404-330-6384

ATC/C.E.R.M. (JV)

C.E.R.M AABE 20%

Parallax FBE 20%

Participation Total 40%



CITY OF ATLANTA
DEPT. OF PROCUREMENT

003 JUN 21 PM 1:59
013107

SHIRLEY FRANKLIN
MAYOR

CITY OF ATLANTA
55 TRINITY AVENUE., SW, SUITE 5400, SOUTH BLDG.
ATLANTA, GEORGIA 30303-0324
OFFICE (404) 330-6081
FAX (404) 658-7194

DEPARTMENT OF
WATERSHED MANAGEMENT
ROBERT J. HUNTER
Commissioner

January 29, 2007

TO: Adam Smith, Chief Procurement Officer
Department of Procurement

FROM: Robert J. Hunter, Commissioner
Department of Watershed Management

RE: **LEGISLATIVE REQUEST**
FC-7449-02A, Annual Contract for Geotechnical and Environmental, Engineering, Testing
and Investigation Services

Please prepare appropriate legislation (Cycle 4 - March 5, 2007) for the above referenced contract with *ATC Associates/CERM, JV.*

All contract terms, conditions, stipulations of the original contract shall remain the same.

If you have any questions concerning this matter, please feel free to contact Sheila Pierce, Deputy Commissioner at (404) 330-6814 or Willie Canidate, Contracting Officer, Sr., at (404) 330-6335.

Your assistance in this matter is requested and appreciated.

SP/wc

c: Sheila Pierce, Deputy Commissioner, DWM
Sammy Goodson, Deputy Commissioner, DWM
Cathy Martin, Deputy Chief Procurement Officer, DOP
Lee Hunt, Project Manager
April Daniels, Financial Analyst, DF
Maisha Land, Legislative Liaison, DWM
Megan Middleton, Legislative Counsel, DOL
Willie Canidate, Contracting Officer, Sr., DWM
File

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Legislative Counsel (Signature): Megan S. Middleton *MS Middleton*

Contact Number: 6207

Originating Department: Watershed Management

Committee(s) of Purview: Finance/Executive

Council Deadline: February 26, 2007

Committee Meeting Date(s): March 28, 2007 Full Council Date: April 16, 2007

Commissioner Signature *[Signature]* 3.2.07

Chief Procurement Officer *[Signature]*

CAPTION

AN ORDINANCE AUTHORIZING THE CITY OF ATLANTA TO WAIVE THE COMPETITIVE PROCUREMENT PROVISIONS CONTAINED IN ARTICLE X, PROCUREMENT AND REAL ESTATE CODE, OF THE CITY OF ATLANTA CODE OF ORDINANCES, AUTHORIZING THE MAYOR TO EXECUTE RENEWAL AGREEMENT NO. 2 WITH ATC ASSOCIATES, INC./CORPORATE ENVIRONMENTAL RISK MANAGEMENT, JV FOR FC-7449-02A, CITYWIDE ANNUAL CONTRACT FOR GEOTECHNICAL AND ENVIRONMENTAL ENGINEERING, TESTING AND INVESTIGATION SERVICES FOR SANITARY SEWER REHABILITATION PROGRAM, ON BEHALF OF THE DEPARTMENTS OF AVIATION, PUBLIC WORKS, WATERSHED MANAGEMENT, PARKS, RECREATION AND CULTURAL AFFAIRS AND GENERAL SERVICES; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any) \$00.00

Mayor's Staff Only

Received by Mayor's Office: 3.5.07 *[Signature]* Reviewed by: *[Signature]*
(date)

Submitted to Council: 3/15/07
(date)

RCS# 1096
4/16/07
2:34 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 1

Y Smith	Y Archibong	E Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT II